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### FACSIMILE COVER SHEET

DATE: August 12, 2003 FAX NO.: 1 703 746 3918  
TO: RICHARD BOOTH, Group Art Unit 2812  
FROM: Pat Palmer, Assistant to Mark S. Matkin  
NO. OF PAGES (including cover page): 25  
OUR FILE: MI55-003  
YOUR FILE: 09/768,898

MESSAGE: Being faxed herewith is the RCE you requested during our telephone conversation of this morning. It is our last filed RCE, dated 07/16/03. As you can see, a Supplemental IDS was filed at that time as well, with voluminous prior art. Unfortunately, there is too much art to fax with the RCE. So, would you like copies of the prior art sent to you by mail? If so, is there a specific address you would prefer I use to send it to you? Please let me know. Also, please let me know if you have any questions or require any additional assistance. Thank you.

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EV317136527

PTO/SB/30 (08-00)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 9, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

|                        |                     |
|------------------------|---------------------|
| Application Number     | 09/768,878          |
| Filing Date            | January 23, 2001    |
| First Named Inventor   | Graham Wolstenholme |
| Group Art Unit         | 2812                |
| Examiner Name          | Richard A. Booth    |
| Attorney Docket Number | MI55-003            |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14685 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
- Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - Other \_\_\_\_\_
- b.  Enclosed (Response to 04/17/03, Final Office Action)
- Amendment/Reply Preliminary Amendment to Accompany RCE Filing)
  - Affidavit(s)/Declaration(s)
  - Information Disclosure Statement (IDS) w/ PTO-1449 and copies of cited art references
  - Other \_\_\_\_\_ Return Receipt Postcard

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)

- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 32,268

- RCE fee required under 37 C.F.R. § 1.17(e)
- Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- Other \_\_\_\_\_

- b.  Check in the amount of \$ 750.00 enclosed

- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                |                                   |        |
|-------------------|----------------|-----------------------------------|--------|
| Name (Print/Type) | Mark S. Matkin | Registration No. (Attorney/Agent) | 32,268 |
|-------------------|----------------|-----------------------------------|--------|

|           |                |      |         |
|-----------|----------------|------|---------|
| Signature | Mark S. Matkin | Date | 8/16/03 |
|-----------|----------------|------|---------|

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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07-16-03

M455-003  
Micron Quantum Devices, Inc.

The stamp of the U.S. Patent and Trademark Office acknowledges receipt of the following papers relating to the Patent application of Graham Wallentholme, Serial No. 09/768,878, filed January 23, 2001, entitled "Methods of Forming a Line of FLASH Memory Cells".

1. Return Receipt Postcard
2. A \$750.00 check
3. RCE Transmittal (in duplicate for filing processing)
4. Response to 04/17/03, Final Office Action/Preliminary RCE Filing *Accompanied by*
5. Supp. IDS w/PTO-1449 and copies of cited art references



EV317136527

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. .... 09/768,878  
 Filing Date ..... January 23, 2001  
 Inventor ..... Graham Wolstenholme  
 Assignee ..... Micron Quantum Devices, Inc.  
 Group Art Unit ..... 2812  
 Examiner ..... Richard A. Booth  
 Attorney Docket No. .... MI55-003  
 Title ..... Methods of Forming a Line of FLASH Memory Cells

**EX POST DECLARATION OF EXPRESS MAILING**

I hereby declare that I have deposited the below-listed papers with the United States Postal Service "Express Mail Post Office to Addressee" service, addressed and posted as indicated below, in compliance with 37 CFR § 1.10. The Express Mail label number has been placed on one or more of the papers listed.

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 Time of Deposit: pm  
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issued therefrom.

Dated at Spokane, Washington this 16 day of April 2003.

Trinity Coxon  
 Printed Name: TRINITY COXON

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